UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK			DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED:8/18/2020
		•	DATE TILED.
Robinson Feliz,		:	
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	Plaintiff,	:	19-cv-6305 (AJN)
		:	
-V-		:	ORDER
		:	
City of New York, et al,		:	
-		:	
	Defendants.	:	
		:	
		X	

ALISON J. NATHAN, United States District Judge:

On August 7, 2020, Defendants filed a motion for judgment on the pleadings under Federal Rule of Civil Procedure 12(c). Pursuant to Rule 3.F. of this Court's Individual Practices in Civil Cases, on or before August 28, 2020, Plaintiff must notify the Court and his adversary in writing whether (1) he intends to file an amended pleading and when he will do so or (2) he will rely on the pleading being attacked. Plaintiff is on notice that declining to amend his pleadings to timely respond to a fully briefed argument in the Defendants' August 7 motion may well constitute a waiver of the Plaintiff's right to use the amendment process to cure any defects that have been made apparent by the Defendants' briefing. *See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC.*, 797 F.3d 160, 190 (2d Cir. 2015) (leaving "unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility").

If Plaintiff chooses to amend, Defendants may then (a) withdraw their motion for judgment on the pleadings; (b) file a new motion for judgment on the pleadings; or (c) submit a letter stating that they rely on the initially-filed motion for judgment on the pleadings.

Discovery is stayed pending further order of the Court.

Nothing in this Order alters the time to amend, answer or move provided by the Federal Rules of Civil Procedure or Local Rules.

SO ORDERED.

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Dated: August 18, 2020

New York, New York

ALISON J. NATHAN United States District Judge